

UNITED STATES DISTRICT COURT  
DISTRICT OF RHODE ISLAND

EMILIO TAYLOR

v.

CA 05-116ML

CITY OF PAWTUCKET, et al.

MEMORANDUM AND ORDER

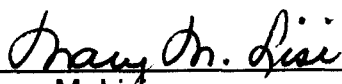
This matter is before the Court on Defendants' Motion to Dismiss for Plaintiff's failure to attend his deposition. Defendants aver that Plaintiff has failed to appear for his deposition on the four occasions it has been noticed and scheduled.

In addition to Defendants' Motion, Plaintiff's counsel has filed a Motion to Withdraw as counsel and an affidavit in support of that Motion. In his affidavit, he attests that he "has made every effort to ascertain Plaintiff's whereabouts" and that "Plaintiff's refusal to contact counsel and otherwise participate in the litigation of this matter has made the continuation of an effective attorney-client relationship impossible." Plaintiff's counsel further attests that Plaintiff is not in the military service and that counsel has notified Plaintiff by registered and certified mail of the pendency of the Motion to Withdraw.

Plaintiff has not responded to his counsel's Motion. It appears that Plaintiff has abandoned this litigation.

Accordingly, the Motion to Withdraw is GRANTED. Defendants' Motion to Dismiss for Plaintiff's failure to attend his deposition is also GRANTED.

SO ORDERED:

  
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Mary M. Lisi  
United States District Judge  
January 26, 2006